

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6018

BILL NUMBER: HB 1166

NOTE PREPARED: Sep 28, 2004

BILL AMENDED:

SUBJECT: Corporal Punishment in Schools.

FIRST AUTHOR: Rep. Orentlicher

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: The bill prohibits the use of corporal punishment on public school students. The bill allows the use of reasonable and necessary force in certain situations.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* Under the bill, schools would have to find alternative means of discipline other than corporal punishment. A violation of the bill's provision could result in more disciplinary hearings. Additionally, school corporations could face civil actions from parents of a student subjected to corporal punishment. Under current law, judicial review of a school corporation governing body is limited to whether the governing body acted without following the discipline procedures allowed by law. If actions were to occur as a result of this provision, school corporations would require the services of an attorney and possibly payment of any judgments ruled against the school.

Background: Based on survey data collected and reported by various entities, approximately 2,220 Indiana students were projected to have been subjected to corporal punishment in CY 2000. National trends indicate that fewer students are subjected to corporal punishment with each subsequent year. About 22 states have not outlawed the use of corporal punishment in schools.

Grade K-6 public enrollment was approximately 543,660 in school year 2000-2001. Based on the survey data provided above, about 0.4% of Indiana public school students enrolled in Grades K-6 may have been subjected to corporal punishment in school year 2000-2001.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: School corporations with a discipline policy that allows the use of corporal punishment.

Information Sources: DOE SAS and ORACLE DATABASES; U.S. Department of Education, Office of Civil Rights, *2000 Elementary and Secondary School Civil Rights Compliance Report*; Center for Effective Discipline.

Fiscal Analyst: Chris Baker, 317-232-9851.